

REMARKS

Claims 1-25 are pending. By this Amendment, claims 1, 3, 4, 8, 10, 12, and 16 are amended for clarity. No new matter has been added. Accordingly, claims 1-25 are pending.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration because they merely correct minor informalities; (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. Entry of the amendments is thus respectfully requested.

The Office Action objects claims 10 and 24 are objected to as being dependent upon a rejected base claim but indicated as allowable if rewritten in independent form including all of the features of the base claim and any intervening claims. Applicant appreciates this indication of allowability. However, Applicant submits that all claims 1-25 are allowable for the reasons discussed below.

The Office Action rejects claims 1-9, 11, 16, 18-23 and 25 under 35 U.S.C. §103(a) over U.S. Patent No. 5,580,042 to Taniguro et al. (Taniguro) in view of U.S. Patent No. 6,712,357 to Tranquilla. This rejection is respectfully traversed.

Taniguro describes a sheet conveying portion 112 comprising a convey roller 136, pinch roller 137 and a PE sensor 142. Tranquilla describes a drive roller element 114, pinch roller element 116, pinch force relief mechanism 152 and a control element 154.

With respect to claims 1 and 16, the Office Action admits that Taniguro fails to disclose a nipping force changing unit that changes a nipping force of a pair of first conveyor rollers and a controller that controls an operation of the nipping force changing unit in accordance with the position of a recording medium detected by the detector, as recited in

claims 1 and 16. The Office Action relies on the teachings of Tranquilla as allegedly satisfying the deficiencies of Taniguro.

Particularly, the Office Action alleges it would have been obvious to one having ordinary skill in the art to modify the rollers 136 and 137 as taught by Taniguro to include the pinch force relief mechanism 152 and control element 154 as described by Tranquilla, in order to have the ability to remove the pinch force from a document during processing, and thus preventing external forces from effecting the positioning of the document.

However, it would not have been obvious to one having ordinary skill in the art to modify the system as taught by Taniguro to include the pinch force relief mechanism 152 and control element 154 as described by Tranquilla. This is because in addition to the pinch force relief mechanism 152 and control element 154, capstan element 118 and its corresponding pinch roller element 120 as described by Tranquilla are essential to preventing external forces from affecting the position of a document. Particularly, capstan element 118 controls the document when the pinch relief mechanism 152 is in a non-pinch force mode (col. 4 lines 41-50). Importantly, were the pinch force relief mechanism 152 and control element 154 added to Taniguro, and it was in non-pinch force mode, no structure in Taniguro would control a document allowing it to become out of alignment prior to printing. Thus, the modified device of Taniguro could not operate properly. Accordingly, the Office Action's proposed modification would render Taniguro inoperable for its intended purpose, in violation of MPEP §214.01(v).

Thus, it would not have been obvious to one having ordinary skill in the art to modify the system as taught by Taniguro to include the pinch force relief mechanism 152 and control element 154 as described by Tranquilla.

Therefore, it is respectfully submitted that claims 1 and 16 are patentable over Taniguro and Tranquilla. Further, it is respectfully submitted that claims 2-9 and 11, and 18-

23 and 25 are patentable at least in view of the patentability of claims 1 and 16, from which they respectively depend, as well as for the additional features they recite. Accordingly, Applicant respectfully requests withdrawal of the rejection.

The Office Action rejects claims 12 and 13 under 35 U.S.C. §103(a) over Taniguro in view of Tranquilla and further in view of U.S. Patent No. 5,129,749 to Sato. This rejection is respectfully traversed.

This rejection is premised upon the presumption that Taniguro and Tranquilla disclose all of the features of claim 1. Because, as discussed above, Taniguro and Tranquilla do not disclose all of the features of claim 1, the rejection is improper. Applicant respectfully requests withdrawal of the rejection.

The Office Action rejects claims 14 and 15 under 35 U.S.C. §103(a) over Taniguro in view of Tranquilla and further in view of U.S. Patent No. 4,619,451 to Dodge. This rejection is respectfully traversed.

This rejection is premised upon the presumption that Taniguro and Tranquilla disclose all of the features of claim 1. Because, as discussed above, Taniguro and Tranquilla do not disclose all of the features of claim 1, the rejection is improper. Applicant respectfully requests withdrawal of the rejection.

The Office Action rejects claim 17 under 35 U.S.C. §103(a) over Taniguro in view of Tranquilla and further in view of U.S. Patent No. 4,053,224 to Burkard et al. (Burkard). This rejection is respectfully traversed.

This rejection is premised upon the presumption that Taniguro and Tranquilla disclose all of the features of claim 16. Because, as discussed above, Taniguro and Tranquilla do not disclose all of the features of claim 16, the rejection is improper. Applicant respectfully requests withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-25 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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